

**53B-24-101. Title.**

- (1) This chapter is known as the "Utah Medical Education Council Act."
- (2) This part is known as "General Provisions."

Enacted by Chapter 28, 2013 General Session

**53B-24-102. Definitions.**

As used in this chapter:

- (1) "Accredited clinical education program" means a clinical education program for a health care profession that is accredited by the Accreditation Council on Graduate Medical Education.
- (2) "Accredited clinical training program" means a clinical training program that is accredited by an entity recognized within medical education circles as an accrediting body for medical education, advanced practice nursing education, physician assistance education, doctor of pharmacy education, or registered nursing education.
- (3) "Council" means the Medical Education Council created under Section 53B-24-302.
- (4) "Health Care Financing Administration" means the Health Care Financing Administration within the United States Department of Health and Human Services.
- (5) "Health care professionals in training" means medical students and residents, advance practice nursing students, physician assistant students, doctor of pharmacy students, and registered nursing students.
- (6) "Program" means the Medical Education Program created under Section 53B-24-202.

Renumbered and Amended by Chapter 28, 2013 General Session

**53B-24-201. Title.**

This part is known as the "Medical Education Program."

Enacted by Chapter 28, 2013 General Session

**53B-24-202. Medical Education Program.**

- (1) There is created a Medical Education Program to be administered by the Medical Education Council in cooperation with the Division of Finance.
- (2) The program shall be funded from money received for graduate medical education from:
  - (a) the federal Health Care Financing Administration or other federal agency;
  - (b) state appropriations; and
  - (c) donation or private contributions.
- (3) All funding for this program shall be nonlapsing.
- (4) Program money may only be expended if:
  - (a) approved by the council; and
  - (b) used for graduate medical education in accordance with Subsection 53B-24-303(7).

Renumbered and Amended by Chapter 28, 2013 General Session

**53B-24-301. Title.**

This part is known as the "Medical Education Council."

Enacted by Chapter 28, 2013 General Session

**53B-24-302. Medical Education Council.**

(1) There is created the Medical Education Council consisting of the following members appointed by the governor:

- (a) the dean of the school of medicine at the University of Utah;
- (b) a person who represents graduate medical education at the University of Utah;
- (c) a person from each institution, other than the University of Utah, that sponsors an accredited clinical education program;
- (d) a person from the health care insurance industry; and
- (e) three members of the general public who are not employed by or affiliated with any institution that offers, sponsors, or finances health care or medical education; however, the governor may appoint an additional member of the public under this Subsection (1)(e) for each person the governor appoints that increases the total number of persons appointed under Subsection (1)(c) beyond two.

(2) Except as provided in Subsection (1)(a) and (b), no two council members may be employed by or affiliated with the same:

- (a) institution of higher education;
- (b) state agency outside of higher education; or
- (c) private entity.

(3) The dean of the school of medicine at the University of Utah:

- (a) shall chair the council;
- (b) may not be counted in determining the existence of a quorum; and
- (c) may only cast a vote on a matter before the council if the vote of the other council members results in a tied vote.

(4) The council shall annually elect a vice chair from among the members of the council.

(5) (a) Consistent with Subsection (6)(b), a majority of the council members constitute a quorum.

(b) The action of a majority of a quorum is the action of the council.

(6) (a) Except as provided in Subsection (6)(b), members are appointed to four-year terms of office.

(b) Notwithstanding Subsection (6)(a), the governor shall, at the time of the initial appointment, adjust the length of terms to ensure that the terms of council members are staggered so that approximately half of the council is appointed every two years.

(c) If a vacancy occurs in the membership for any reason, the replacement shall be appointed by the governor for the unexpired term in the same manner as the original appointment was made.

(7) A member may not receive compensation or benefits for the member's

service, but may receive per diem and travel expenses in accordance with:

- (a) Section 63A-3-106;
- (b) Section 63A-3-107; and
- (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Renumbered and Amended by Chapter 28, 2013 General Session

**53B-24-303. Duties of council.**

The council shall:

- (1) submit an application in accordance with federal law for a demonstration project to the Health Care Financing Administration before December 31, 1997, for the purpose of receiving and disbursing federal funds for direct and indirect graduate medical education expenses;
- (2) seek private and public contributions for the program;
- (3) study and recommend options for financing graduate medical education to the State Board of Regents and the Legislature;
- (4) advise the State Board of Regents and the Legislature on the status and needs of health care professionals in training;
- (5) determine the method for reimbursing institutions that sponsor health care professionals in training;
- (6) determine the number and type of positions for health care professionals in training for which program money may be used; and
- (7) distribute program money for graduate medical education in a manner that:
  - (a) prepares postgraduate medical residents, as defined by the accreditation council on graduate medical education, for inpatient, outpatient, hospital, community, and geographically diverse settings;
  - (b) encourages the coordination of interdisciplinary clinical training among health care professionals in training;
  - (c) promotes stable funding for the clinical training of health care professionals in training; and
  - (d) only funds accredited clinical training programs.

Renumbered and Amended by Chapter 28, 2013 General Session

**53B-24-304. Powers of council.**

The council may:

- (1) conduct surveys, with the assistance of the Division of Occupational and Professional Licensing within the Department of Commerce, to assess and meet changing market and education needs;
- (2) notwithstanding the provisions of Subsection 35A-4-312(3), receive information obtained by the Division of Workforce Information and Payment Services under the provisions of Section 35A-4-312 for purposes consistent with the council's duties as identified under Section 53B-24-303, including identifying changes in the medical and health care workforce numbers, types, and geographic distribution;
- (3) appoint advisory committees of broad representation on interdisciplinary

clinical education, workforce mix planning and projections, funding mechanisms, and other topics as is necessary;

(4) use federal money for necessary administrative expenses to carry out its duties and powers as permitted by federal law;

(5) distribute program money in accordance with Subsection 53B-24-303(7); and

(6) as is necessary to carry out its duties under Section 53B-24-303:

(a) hire employees; and

(b) adopt rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Renumbered and Amended by Chapter 28, 2013 General Session

**53B-24-401. Title.**

This part is known as the "Rural Residency Training Program."

Enacted by Chapter 28, 2013 General Session

**53B-24-402. Rural residency training program.**

(1) For purposes of this section:

(a) "Physician" means:

(i) a person licensed to practice medicine under Title 58, Chapter 67, Utah Medical Practice Act or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; and

(ii) a person licensed to practice dentistry under Title 58, Chapter 69, Dentist and Dental Hygienist Practice Act.

(b) "Rural residency training program" means an accredited clinical training program as defined in Section 53B-24-102 which places a physician into a rural county for a part or all of the physician's clinical training.

(2) (a) Subject to appropriations from the Legislature, the council shall establish a pilot program to place physicians into rural residency training programs.

(b) The pilot program shall begin July 1, 2005 and sunset July 1, 2015, in accordance with Section 63I-1-263.

Renumbered and Amended by Chapter 28, 2013 General Session

Amended by Chapter 167, 2013 General Session